Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-13, and 14-21 are pending in the application, with claims 1, 11, 16, and 21 being independent. Claim 14 is canceled herein without prejudice to or disclaimer of the subject matter recited therein. Claims 1, 7, 9, 11, and 16, 18, and 20 are amended herein. Claim 21 is newly presented. Support for the claim amendments and additions can be found in the original disclosure. No new matter has been added.

STATEMENT OF SUBSTANCE OF INTERVIEW

Initially, Applicant wishes to thank the Examiner for conducting an interview with Applicant's representatives, Elliott Chen along with Elizabeth Zehr, on Tuesday February 17, 2009.

During the interview, Applicant's representatives and the Examiner discussed the §101 rejection as applied to claims 1-20, the §112 rejection as applied to claims 11-15, and the §103(a) rejection as applied to claims 11 and 16. With respect to the §101 rejection, the Examiner indicated that the proposed amendments to claims 11 and 16 overcome the rejection. In addition, the Examiner noted that similar amendments to claim 1 would also overcome the §101 rejection as applied to claim 1. Applicant has amended claims 1, 11, and 16 accordingly.

With respect to the §112 rejection, the Examiner indicated that the proposed amendments to claims 11 overcome the rejection. Applicant has amended claim 11 accordingly.

With respect to the §103 rejection, the Examiner indicated that the proposed amendments appear to overcome at least the cited portion of the cited art; however a more thorough search of the art will be conducted. The subject matter of the interview, and other remarks, are included below under their respective sections to assist the Examiner in more fully understanding the Applicant's position on the rejections under §103.

§ 101 REJECTIONS

The Office rejected claims 1-20 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Specifically, with respect to the rejection of claim 1, the Office recites: "Claim 1 recites a method comprising: 'comparing', 'identifying', 're-ordering' and 'displaying', however as presented in the claim it is not directed to any form of structure and could equate to software components." (Office Action, Page 2). Additionally, with respect to claim 11, the Office recites: "Claim 11 recites a system comprising: 'user menu', 'web browser', 'trust engine', 'transformation module' and 'user interface module', none of which are recorded on a computer-readable medium." (Office Action, Page 3). Additionally, with respect to claim 14, the Office recites: "Claim 14 recites a 'privacy actuator'. It is unclear how a 'privacy actuator' constitutes a system." (Office Action, Page 4). Furthermore, with respect to claim 16, the Office recites: "Claim 16 recites 'comparing a set of user concerns', 'identifying specific

portions', 're-ordering the privacy statements' and 'displaying.' However, as presented in the claim the limitations are not tied to a physical structure used for performing the series of steps." (Office Action, Page 4). Applicant respectfully traverses the rejection, and requests that the rejection be reconsidered and withdrawn in light of the following remarks.

Applicant has amended claims independent claims 1, 11, and 16 to recite statutory subject matter. Specifically, claim 1 has been amended to recite, in part: "outputting the entire Web site privacy policy onto the display device." Claim 11 has been amended to include "one or more processors; and memory having instructions executable by the one or more processors." And claim 16 has been amended to recite, in part: "causing the display of the re-ordered privacy policy statements on a display device." Furthermore, claim 14 has been canceled herein. Claims 2-10 depend from independent claim 1; claims 12-13, and 15 depend from independent claim 11; and claims 17-20 depend from independent claim 16.

Applicant submits that claims 1-20 have been amended to include hardware components and thus comply with the statutory subject matter requirement of 35 U.S.C. §101 in light of *Bilski*. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection to claims 1-20.

§ 112, Second Paragraph Rejections

The Office rejected claims 11-15 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office recites: "Claim 11 recites in the preamble that the claim is directed towards the statutory category of a system. However, the body of claim 11 comprises a 'menu', 'web browser', 'trust engine' and 'modules', and is thus directed towards function descriptive material." (Office Action, Page 5). Additionally, the Office recites: "Claim 14 recites 'privacy actuator'. It is unclear and indefinite as to what a 'privacy actuator' means. There is no support or definition in the disclosure." (Office Action, Page 5). Applicant respectfully traverses the rejection, and requests that the rejection be reconsidered and withdrawn in light of the following remarks.

Applicant has herein amended claim 11 to cure the indefinite rejection cited by the Office. Specifically, claim 11 has been amended to more clearly recite the intended subject matter and thus is believed to comply with the requirements of 35 U.S.C. §112, second paragraph. Furthermore, claim 14 has been canceled herein. Claims 12-13, and 15 depend from independent claim 11. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection to claims 11-15.

§ 103 Rejections

Claims 1-6, and 8-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2002/0104015 ("Barzilai") in view of U.S. Patent No.

6,327,618 ("Ahlstrom"). Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Barzilai in view of www.w3schools.com ("W3Schools"). Applicant respectfully traverses the rejection, and requests that the rejection be reconsidered and withdrawn in view of the following remarks.

   Independent claim 1, as presently presented, recites:

>   A method for outputting a transformed Web site privacy policy onto a display device, comprising:
>   comparing one or more user concerns with a Web site privacy policy;
>   identifying specific portions of the Web site privacy policy that conflict with the user concerns; and
>   outputting the entire Web site privacy policy onto the display device such that the identified specific portions of the Web site privacy policy that conflict with the user concerns appear before the portions of the Web site privacy policy that do not conflict with the user concerns.

Barzilai is directed to "developing, maintaining and applying privacy policies with respect to information collected from users by network servers." (Paragraph [0002]). Specifically, an enterprise privacy manager (EPM) receives and stores privacy policies with regard to each of a plurality of Web page or group of Web pages (i.e. nodes), within Web sites maintained by the enterprise, through which users are asked to submit private information to the enterprise. (Paragraph [0011]). The "EPM ensures that . . . users consent to the appropriate policy before submitting private information" such that when an "application attempts to access the private information that users have submitted . . the EPM checks for compliance of the application with the privacy policies" before granting access to the private information. (Paragraph [0012]).

Ahlstrom generally pertains to a method and apparatus "for recognizing and processing conflicts in policies that govern a policy-based system." (Abstract). Specifically, "[w]hen a policy conflict is detected, the conflict is resolved by bringing it to the attention of a user or external system, and receiving information that corrects one of the policies or specifies a precedence relationship among the policies." (Abstract).

Applicant respectfully submits that Barzilai and Ahlstrom whether taken alone or in combination, fail to disclose or suggest the recitations of claim 1. Specifically, Barzilai in view of Ahlstrom fails to disclose or suggest "outputting the entire Web site privacy policy onto the display device such that the identified specific portions of the Web site privacy policy that conflict with the user concerns appear before the portions of the Web site privacy policy that do not conflict with the user concerns" as recited in claim 1.

The Office acknowledges that, with reference to claim 1: "Barzilai does not expressly disclose: displaying the re-ordered Web site privacy policy. . . . However, Ahlstrom teaches . . . displaying the conflicting policies for prompting the user to choose which of the policies is to take precedence over the other policies." (Office Action, Pages 6-7). Applicant provides the relevant portion of Ahlstrom that was cited by the Office: "Similarly, block 212 may involve displaying two or more conflicting policies to a user and prompting the user to choose which of the policies is to take precedence over the other policies." (Column 10, Lines 38-41). Thus, Ahlstrom teaches displaying only the conflicting policies rather than outputting *"the entire Web site privacy policy* onto the display device such that the identified specific portions of the Web site privacy policy that

conflict with the user concerns appear before the portions of the Web site privacy policy that do not conflict with the user concerns" as recited in claim 1. (Emphasis added).

Barzilai was not cited for displaying the re-ordered Web site privacy policy and thus Barzilai fails to remedy the deficiencies in Ahlstrom noted above with respect to claim 1. In addition, Applicant respectfully does not submit that the examiner has met the burden to combine the Barzilai and Ahlstrom references; rather, the Applicant reserves the right to challenge the motivation to combine the Barzilai and Ahlstrom references.

The amendments to claim 1 are supported by the specification on at least page 9, lines 12-20. No new matter is added. Accordingly, independent claim 1 is believed allowable.

Dependent claims 2-10 depend from independent claim 1 and are believed allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

Independent claim 11, as presently presented, recites:

> A Web site privacy policy evaluation and transformation system, comprising:
> one or more processors; and
> memory having instructions executable by the one or more processors, the memory including:
> > a user concerns menu to allow a user to enter privacy concern preferences to be used in evaluating a Web site privacy policy file;
> > a Web browser to allow the user to access one or more network Web sites based on the evaluation of the privacy policy file;

> a trust engine for evaluating the privacy policy file, the trust engine enabled to:
>
>> request an user input prior to continue browsing the Web sites that do not contain the Web site privacy policy,
>>
>> evaluate the privacy policy file by comparing the user concerns with the privacy policy file, and
>>
>> identify specific portions of the privacy policy file that conflict with the user concerns;
>
> a transformation module to transform the privacy policy file into a user-centric policy display that emphasizes the specific portions of the privacy policy file that conflict with the user concerns; and
>
> a user interface module to cause the display of the transformed privacy policy file.

(Emphasis added). Applicant respectfully submits that Barzilai and Ahlstrom whether taken alone or in combination, fail to disclose or suggest the recitations of claim 11. Specifically, Barzilai in view of Ahlstrom fails to disclose or suggest "request an user input prior to continue browsing the Web sites that do not contain the Web site privacy policy" as recited in claim 11.

First, Barzilai fails to teach or suggest the cited recitations of claim 11. The only reference in Barzilai pertaining to receiving a user input appears in paragraph [0024] as follows: "[m]ost preferably, informing the user [when there has been a change in the initial privacy policy] includes prompting the user to provide an input to indicate whether the user accepts or rejects the change." (Paragraph [0024]). However, prompting a user for input when there has been a change to a privacy policy requires requesting user input with respect to a Web site that contains a privacy policy rather than requesting user input for "Web sites that do not contain the Web site privacy policy" as recited in claim 11.

(Emphasis added). Thus, Barzilai fails to teach or suggest the cited recitations of claim 11. Furthermore, Ahlstrom fails to remedy the deficiencies of Barzilai noted above with respect to claim 11.

The only suggestion in Ahlstrom pertaining to user input involves situations where there is a conflict between privacy policies. Specifically, Ahlstrom recites:

> If a policy conflict is found, then as shown by block 208, the policy verifier carries out resolution of the policy conflict. Block 208 may be executed iteratively for each policy conflict that is found in the test of block 206, so that all possible combinations of policies are tested for potential conflict. Block 208 may involve, for example, correcting the policy conflict or "error", as shown by block 210, or specifying a precedence of the conflicting policies, as shown by block 212. For example, *block 210 may involve displaying the conflicting policies to a user and prompting a user to correct one or both policies so that they do not conflict.* Correction of an error that causes a policy conflict may involve adding a relation to one policy, deleting a relation from another policy, or modifying one or both policies so that their conditions are logically consistent. The display and correction may be carried out using a text-based or graphical policy editor.

(Ahlstrom, Column 10, lines 20 – 37, Emphasis added). Since the prompting of the user input in Ahlstrom involves situations where there are conflicts in policies, the prompting of the user input is limited to situations where policies exist. Thus, Ahlstrom requests user input with respect to Web sites that contain policies rather than requesting user input for "Web sites that do not contain the Web site privacy policy" as recited in claim 11.

The amendments to claim 11 are supported by the specification on at least page 9, lines 12-20. No new matter is added. Accordingly, independent claim 11 is believed allowable.

Dependent claims 12-13, and 15 depend from independent claim 11 and are

allowable by virtue of this dependency, as well as for additional features that they recite.

Applicant also respectfully requests individual consideration of each dependent claim.

Independent claim 16, as presently presented, recites:

> One or more computer-readable media including computer-executable instructions that, when executed on a computer, perform a method of:
> comparing a set of user concerns with a set of Web site privacy policy statements to determine if a privacy policy statement conflicts with a user concern;
> identifying specific portions of the privacy policy statement that conflict with the user concern;
> adding metadata to the privacy policy statements' internal representation of the conflicting statements;
> re-ordering the privacy policy statements so that the specific portions of the privacy policy statement that conflict with the user concern appear before the portions of the privacy policy statement that do not conflict with the user concern; and
> causing the display of the re-ordered privacy policy statements on a display device.

Applicant respectfully submits that Barzilai and Ahlstrom whether taken alone or

in combination, fail to disclose or suggest the recitations of claim 16. The Office

acknowledges that, with reference to the rejection of claim 16:

> Barzilai does not expressly disclose . . . identifying specific portions of the privacy policy statement that conflict with the user concern . . . However, Ahlstom teaches identifying a policy conflict when a first condition of the first policy and a second condition of the second policy conflict (col. 4, lines 9-18). In addition, Alhstrom teaches when a conflict is found the policy verifier displays the conflicting policies to a user and promotes the user to correct one or both policies so that they do not conflict; and displaying the conflicting policies for promoting the user to choose which of the policies is to take precedence over the other policies. Alhstrom further teaches once the

conflict resolution is completed the system executes the corrected or re-ordered policies (col. 10, lines 21-67).

(Office Action, Pages 14-15). However, Applicant submits that Barzilai in view of Ahlstrom fails to disclose or suggest "adding metadata to the privacy policy statements' internal representation of the conflicting statements" as recited in claim 16.

A thorough search of Alhstrom fails to uncover any mention of "adding metadata" or any related variation of "adding metadata" as applied to the recitations of Applicant's claim 16. The only discussion in Alhstrom that may relate to "adding metadata" is in Alhstrom's use of 'executing' policies. Specifically, Alhstrom recites: "[w]hen conflict resolution of block 208 is completed, control may be returned to block 206 to repeat the policy conflict test. Alternatively, the system may proceed to block 216 *in which the corrected or re-ordered policies are executed.*" (Column 10, lines 63-67, Emphasis added). However, assuming, *arguendo*, that 'executing' the policies, as used in Alhstrom suggests adding metadata to the internal representation of the policies being executed, Alhstrom still fails to teach or suggest "adding metadata to the privacy policy statements' internal representation *of the conflicting statements*" since Alhstrom teaches executing the corrected or non-conflicting statements rather than executing the "conflicting statements."

Barzilai is not cited for identifying specific portions of the privacy policy statement that conflict with the user concern, and thus fails to remedy the noted deficiencies of Ahlstrom.

Accordingly, claim 16 is allowable for at least the foregoing reasons.

Dependent claims 17-20 depend from independent claim 16 and are allowable by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

NEWLY ADDED CLAIM 21

Newly Added Independent claim 21 recites:

> A method for outputting a transformed Web site privacy policy via a trust engine module stored in memory, comprising:
>
> comparing one or more user concerns with the Web site privacy policy via the trust engine module when the Web site does contain the Web site privacy policy;
>
> identifying specific portions of the Web site privacy policy that conflict with the user concerns via the trust engine module; and
>
> outputting the Web site privacy policy in an expandable-collapsible tree where each conflicting portion is identified by its own branch in the tree and the non-conflicting portions are identified by its own branch in the tree, the branches representing the non-conflicting portions placed below the branches representing the conflicting portions.

Applicant respectfully submits that Barzilai in view of Ahlstrom fails to disclose or suggest the recitations of newly presented claim 21 for at least two reasons. First, Barzilai in view of Ahlstrom fails to disclose or suggest "outputting the Web site privacy policy in an expandable-collapsible tree." The Office acknowledges that, with reference to displaying the Web site privacy policy: "Barzilai does not expressly disclose: displaying the re-ordered Web site privacy policy. . . . However, Ahlstrom teaches . . . displaying the conflicting policies for prompting the user to choose which of the policies is to take precedence over the other policies." (Office Action, Pages 6-7).

Applicant provides the relevant portion of Ahlstrom that was cited by the Office: "Similarly, block 212 may involve displaying two or more conflicting policies to a user and prompting the user to choose which of the policies is to take precedence over the other policies." (Column 10, Lines 38-41). Although Ahlstrom provides displaying conflicting policies, Ahlstrom is silent as to the format that is used to display the conflict policies. Furthermore, the figures of Ahlstrom also fail to provide any guidance on the format that is used to display the conflicting policies. Thus, Barzilai in view of Ahlstrom fails to disclose or suggest "outputting the Web site privacy policy *in an expandable-collapsible tree*" as recited in claim 21. (Emphasis added).

Second, Barzilai in view of Ahlstrom fails to disclose or suggest "the branches representing the non-conflicting portions placed below the branches representing the conflicting portions" as recited in claim 21. As illustrated in Column 10, Lines 38-41 of Ahlstrom, Ahlstrom provides displaying only the conflicting policies to the user. Since Ahlstrom only teaches displaying the conflicting policies, Ahlstrom fails to teach or suggest outputting the non-conflicting portions below the conflicting portions as recited in newly presented claim 21. Furthermore, Barzilai fails to remedy the deficiencies of Ahlstrom.

For the foregoing reasons, newly presented independent claim 21 is believed allowable.

CONCLUSION

For at least the foregoing reasons, it is respectfully submitted that claims 1-13, and 15-21 are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections and an early notice of allowance.

The arguments and amendments presented herein were necessitated by the most recent Office Action, and could not have been presented previously because Applicant earnestly believed that the claims were in condition for allowance at the time of filing the previous response.

If any issue remains unresolved that would prevent allowance of this case, **Applicant requests that the Examiner contact the undersigned attorney to resolve the issue**.

Respectfully Submitted,

Lee & Hayes, PLLC

Dated: _2009-03-11_   By: _____

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